

Final

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
BARBARA RUSSO,**

Plaintiff,

against

**TUTTNAUER USA COMPANY LIMITED, BOB
BASILE and KEVIN CONNORS,**

Defendants.

Case No.: 21-cv-1720 (JMA) (AYS)

VERDICT SHEET

Hostile Work Environment

Element One – Hostile Work Environment Based on Gender

1. Has Plaintiff established, by a preponderance of the evidence, that she was subjected to a hostile work environment based on her gender?

YES ☒ NO ☐

If you answered YES to this Question, proceed to Question 2. If you answered NO to this question, then skip Questions 2, 3, and 4, and proceed to Question 5.

Element Two – Defendants' Liability for the Hostile Work Environment

2. Is Defendant Tuttnauer liable for the hostile work environment?

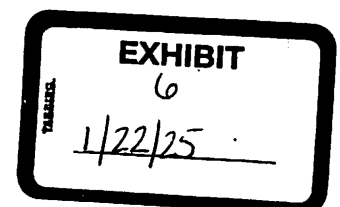
YES ☒ NO ☐

If you answered YES to this Question, proceed to Question 3. If you answered NO to this question, then skip Questions 3 and 4, and proceed to Question 5.

3. Has Plaintiff established, by a preponderance of the evidence, that Defendant Kevin Connors aided and abetted the creation of the hostile work environment?

YES ☒ NO ☐

Proceed to the next question.



4. Has Plaintiff established, by a preponderance of the evidence, that Defendant Bob Basile aided and abetted the creation of the hostile work environment?

YES ☒ NO ☐

Proceed to the next question.

Gender Discrimination – Termination

5. Has Plaintiff established, by a preponderance of the evidence, that her gender was a motivating factor in her termination?

YES ☐ NO ☒

If you answered YES to this Question, proceed to Question 6. If you answered NO to this question, then skip Question 6 and proceed to Question 7.

6. Has Plaintiff established, by a preponderance of the evidence, that Defendant Kevin Connors aided and abetted Plaintiff's discriminatory termination?

YES ☐ NO ☐

Proceed to the next question.

Retaliation – Termination

7. Has Plaintiff established, by a preponderance of the evidence, that Defendant Tuttnauer terminated her employment in retaliation for engaging in protected activity?

YES ☐ NO ☒

If you answered YES to this Question, proceed to Question 8. If you answered NO to this question, then skip Question 8 and proceed to Question 9.

8. Has Plaintiff established, by a preponderance of the evidence, that Defendant Kevin Connors terminated Plaintiff and/or participated in Plaintiff's termination in retaliation for engaging in protected activity?

YES ☐ NO ☐

Proceed to the next question.

Retaliation – Police Report

9. Has Plaintiff established, by a preponderance of the evidence, that Defendant Tuttnauer filed a police report against Plaintiff in retaliation for engaging in protected activity?

YES _____ NO ☒

If you answered YES to this Question, proceed to Question 10. If you answered NO to this question, then skip Questions 10 and 11 and proceed to the next page.

10. Has Plaintiff established, by a preponderance of the evidence, that Defendant Kevin Connors filed a police report against Plaintiff in retaliation for engaging in protected activity?

YES _____ NO _____

Proceed to the next question.

11. Has Plaintiff established, by a preponderance of the evidence, that Defendant Bob Basile filed a police report against Plaintiff in retaliation for engaging in protected activity?

YES _____ NO _____

Proceed to the next page.

If you answered YES to Question 2, Question 5, Question 7, or Question 9, then proceed to Question 12 below. If you did not answer YES to any of these questions, then skip the questions below concerning damages and inform Lauren that you have reached a verdict.

Damages

12. State the amount, if any, of compensatory damages for pain, suffering, or emotional distress that Plaintiff has proven by a preponderance of the evidence that she is entitled to receive:

\$2.5 million (pain and suffering / emotional distress)

As I explained to you in the instructions, you can only award lost wages, earnings, and benefits if you find in favor of Plaintiff on her discriminatory termination claim or her retaliatory termination claim. If you answered YES to Question 5 or Question 7, then proceed to Question 13 below. If you answered NO to Questions 5 and 7, then skip Question 13 and proceed to Question 14.

13. State the amount, if any, of compensatory damages for lost wages, earnings, and benefits that Plaintiff has proven by a preponderance of the evidence that she is entitled to receive:

\$ _____ (lost wages, earnings, and benefits)

Proceed to the next question.

14. Has Plaintiff proven by a preponderance of the evidence that she is entitled to punitive damages against Defendant Tuttnauer?

YES ☒ NO ☐

If your answer is YES, please indicate in the space provided below the amount of punitive damages you award against Defendant Tuttnauer.

\$ 5 million dollars

Inform Lauren that you have reached a verdict.

The Foreperson must sign and date the verdict sheet below.

Chris Intimore
(Signature of the Foreperson)

Central Islip, New York
January 22, 2025